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**\*\*\* Please note that instructions are in bold and/or italics. You should delete the instructions from your document before filing with the court.**

**VIRGINIA**

**IN THE FAIRFAX COUNTY CIRCUIT COURT**

_____	:	
	:	
Plaintiff,	:	
	:	
v.	:	CL NO. _____
	:	
_____	:	
	:	
Defendant.	:	

**AFFIDAVIT OF CORROBORATING WITNESS IN SUPPORT OF DIVORCE**  
**PURSUANT TO VIRGINIA CODE § 20-106**

ON THIS day \_\_\_\_\_ personally appeared before the undersigned Notary Public and, after having been first duly sworn according to law, under penalty of perjury, affirms, pursuant to §20-106 of the 1950 Code of Virginia, as amended, that she is over eighteen (18) years of age, competent to testify to the contents of this affidavit, and that the following facts are true and correct based on personal knowledge:

1. My name is \_\_\_\_\_ and my address is \_\_\_\_\_ (*street number and street*), \_\_\_\_\_ (*city*), \_\_\_\_\_ (*state*).

2. The Plaintiff is \_\_\_\_\_ (*name*). The Defendant is \_\_\_\_\_ (*name*). I am familiar with both the Plaintiff and the Defendant.

3. I have read and can verify the allegations in the Complaint, which is attached hereto.

4. The Plaintiff, Defendant and I are all over the age of 18.

5. The Plaintiff, Defendant and I are all of sound mind, free from any condition that renders any of us legally incompetent.

6. Neither the Plaintiff nor Defendant is incarcerated.

***(Choose either #7(a) OR #7(b) — NOT BOTH. Renumber as #7) (If the Defendant is in the military, he/she must sign a waiver of rights under the Servicemembers Civil Relief Act, 50 U.S.C. Appx. § 501 et seq.)***

7(a). Neither party is an active duty member of the military service of the United States; **OR**

(b). The Plaintiff/Defendant is an active member of the military service of the United States, and has signed a Servicemembers Civil Relief Act Waiver.

8. The parties were married on \_\_\_\_\_ (*month*), \_\_\_\_\_ (*day*), \_\_\_\_\_ (*year*) in \_\_\_\_\_ (*city*), \_\_\_\_\_ (*state*).

***(Choose either (a) OR (b) – NOT BOTH. Renumber as #9.)***

9(a). There is/are \_\_\_\_ child[ren] (*insert number*) was/were born of the marriage, namely: \_\_\_\_\_; (*list all children's names and their dates of birth*).

**OR**

(b). There are no children born or adopted of this marriage under the age of 18 years;

10. To the best of my knowledge, the Plaintiff/Defendant is not currently pregnant from the marriage (*choose the spouse that is female*).

11. At the time of the filing of the suit and for at least six months preceding the filing of the suit, the Plaintiff (*or Defendant*), was an actual bona fide resident and domiciliary of this Commonwealth.

12. The parties separated on \_\_\_\_\_ (*month*), \_\_\_\_\_ (*day*), \_\_\_\_\_ (*year*).

13. I am aware the parties separated on the date above because  
\_\_\_\_\_  
\_\_\_\_\_  
*(include as much detail as possible as to how you found out)*<sup>1</sup>

14. To the best of my knowledge and belief, it was the intention of the Plaintiff on the date of separation that the separation would be permanent and that intention has continued through the present date.

15. The parties have not resumed cohabitation or reconciled at any time since the date of separation and I know this because

\_\_\_\_\_  
\_\_\_\_\_  
*(include as much information as possible as to how you know they have not resumed cohabitation or reconciled. Examples might include going over to the residence frequently, observing that the other spouse was never present, that you did not see the other spouse's personal belongings, etc.)*

16. I have been to the Plaintiff's residence since the date of separation and have not observed anything to indicate that Defendant is living there with the Plaintiff.

<sup>1</sup> If the Plaintiff and Defendant separated while living under the same roof during the time of their separation, you must add the language at the end of this document and renumber accordingly.

17. I know the parties have not resumed cohabitation or reconciled because my relationship with the Plaintiff is such that I would know if the Plaintiff and Defendant had reconciled or resumed marital cohabitation.

18. To the best of my knowledge and belief, the parties have lived separate and apart continuously and without interruption and without marital cohabitation since the date of separation with the intent to remain separate and apart permanently, for the statutory period required by Va. Code § 20-91(A)(9).

19. I do not believe there is hope or possibility of reconciliation between the parties.

I, \_\_\_\_\_, do hereby swear or affirm that my answers given above are true and accurate to the best of my knowledge.

GIVEN under my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Witness Name

Commonwealth of Virginia: to wit:

City/County of \_\_\_\_\_

Subscribed and sworn to before me by \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Registration Number: \_\_\_\_\_.

My commission expires: \_\_\_\_\_.